

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW HAMPSHIRE**

THE UNITED STATES OF AMERICA

v.

No. 1:21-cr-41-JL

ARIA DIMEZZO

**ASSENTED-TO MOTION
TO FURTHER CONTINUE SENTENCING HEARING**

The defense respectfully requests that the Court continue the sentencing hearing scheduled for March 14, 2023, to an available date in April, 2023.

Defense counsel regrets and apologizes for the necessity of this motion. The continuance is necessary because, as was stated in the earlier motion, defense counsel is scheduled to start a First Degree Murder trial on February 21, 2023 in Hillsborough County Superior Court – North in the matter of *State of New Hampshire v. Anderson Pereira*, No. 216-2021-CR-1916. Counsel had anticipated that the *Pereira* trial would be over by March 10, 2023, such that a hearing in this case after that date would be possible. However, it now appears that that will not be the case. Counsel apologizes to the Court and the Government for underestimating the length of time during which the *Pereira* trial would be a scheduling conflict, and for causing the Court, Government's counsel, and Probation the inconvenience of a further continuance. Counsel's original estimation was in good faith, but after discussions at the *Pereira* final pretrial and during ongoing trial preparations, it is clear that defense counsel was simply overly optimistic and erred in judgment.

Defense counsel reviewed the foregoing with Ms. DiMezzo. She agrees to the request in this motion. Notably, Ms. DiMezzo has been in compliance with her conditions of release since the start of this case early in 2021.

The Government, through Assistant United States Attorney Georgiana MacDonald, graciously assents to this motion.

WHEREFORE the defense requests that the Court continue the sentencing hearing scheduled for March 14, 2023, to a date in April, 2023.

Date: February 10, 2023.

Respectfully submitted by counsel
for Aria DiMezzo

/s/ Richard Guerriero
Richard Guerriero, Esq.
N.H. Bar ID. 10530 Lothstein
Guerriero, PLLC Chamberlain
Block Building 39 Central Square,
Suite 202 Keene, NH 03431
Telephone: (603) 352-5000
richard@nhdefender.com

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to registered participants identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to the nonregistered participants on the date the document was signed by me.

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/s/ Richard Guerriero
Richard Guerriero, Esq.